

FILED - MQ

February 27, 2019 9:55 AM

UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF MICHIGAN*Kevin Theriot 42306P*U.S. DISTRICT COURT  
WESTERN DISTRICT OF MICHIGAN  
BY: *slk* / scanned *[Signature]*

(Enter above the full names of all plaintiffs, including prisoner number, in this action.)

*v. Unknown Marshall, Paul L. Malone, Unknown Holmes, Unknown Viennala,  
Unknown (Cordonado)*

(Enter above the full name of the defendant or defendants in this action.)

**COMPLAINT****I. Previous Lawsuits**

**CAUTION:** The Prison Litigation Reform Act has resulted in substantial changes in the ability of incarcerated individuals to initiate lawsuits in this and other federal courts without prepayment of the civil action filing fee. Accurate and complete responses are required concerning your litigation history. Generally, a plaintiff's failure to accurately and completely answer the questions set forth below will result in denial of the privilege of proceeding *in forma pauperis* and require you to pay the entire \$400.00 filing fee regardless of whether your complaint is dismissed.

- A. Have you ever filed a lawsuit while incarcerated or detained in any prison or jail facility? Yes  No
- B. If your answer to question A was yes, for each lawsuit you have filed you must answer questions 1 through 5 below. Attach additional sheets as necessary to answer questions 1 through 5 below with regard to each lawsuit.
1. Identify the court in which the lawsuit was filed. If it was a state court, identify the county in which the suit was filed. If the lawsuit was filed in federal court, identify the district within which the lawsuit was filed.  


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  2. Is the action still pending? Yes  No 
    - a. If your answer was no, state precisely how the action was resolved: \_\_\_\_\_  


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  3. Did you appeal the decision? Yes  No
  4. Is the appeal still pending? Yes  No 
    - a. If not pending, what was the decision on appeal? \_\_\_\_\_  


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  5. Was the previous lawsuit based upon the same or similar facts asserted in this lawsuit? Yes  No 
    - If so, explain: \_\_\_\_\_  


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**II. Place of Present Confinement** \_\_\_\_\_

If the place of present confinement is not the place you were confined when the occurrence that is subject of instant lawsuit arose, also list the place you were confined:

*[Signature]*

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**III. Parties****A. Plaintiff(s)**

Place your name in the first blank and your present address in the second blank. Provide the same information for any additional plaintiffs. Attach extra sheets as necessary.

Name of Plaintiff Klein Thiel

Address Daraga Corr.Faci 13924 Wadsworth Rd Marquette MI 49908 -4204

**B. Defendant(s)**

Complete the information requested below for each defendant in this action, including whether you are suing each defendant in an official and/or personal capacity. If there are more than four defendants, provide the same information for each additional defendant. Attach extra sheets as necessary.

Name of Defendant #1 Unknown Marshall

Position or Title Deputy Warden

Place of Employment Daraga Corr.Faci

Address Same as plaintiff

Official and/or personal capacity? Both

Name of Defendant #2 Paul L. Maloney

Position or Title Judge

Place of Employment U.S. District Court

Address 224 Post Office and Federal Building P.O. Box 688 Marquette MI 49855

Official and/or personal capacity? Both

Name of Defendant #3 Unknown Holmes

Position or Title Officer

Place of Employment Daraga Corr.Faci

Address Same as plaintiff

Official and/or personal capacity? Both

Name of Defendant #4 Unknown Hemmila

Position or Title Officer

Place of Employment Daraga Corr.Faci

Address Same as plaintiff

Official and/or personal capacity? Both

Name of Defendant #5 Unknown (Cordonado)

Position or Title Officer

Place of Employment Daraga Corr.Faci

Address Same as plaintiff

Official and/or personal capacity? Both

#### IV. Statement of Claim

State here the facts of your case. Describe how each defendant is personally involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets if necessary.

On 2-16-19, Deputy Warden Marshall approached my cell along with officers Holma and Cordonado and said "I just got off the phone with Judge Paul L. Maloney and he said you are appealing his decisions in Case No 218-W-92 and not letting it go like we all predicted and last. The judge told us to make you stop, by any means!" I said "You have to believe me, I'm thinking with the lawyers!". Marshall said "Yeah, we heard that before but Letez is telling me different". He then turned around and said to officers (Cordonado and) Holma, "Go in there and get him" My door was then opened and Holma and Cordonado ran inside and began to strike me while I layed on the floor. Then I was dragged out after being hand cuffed behind my back. I was taken outside the perimeter gate and (off) to the door on a gun tower. Marshall, Holma, and Cordonado then ran away. From a distance I could see the perimeter truck heading towards me in great speed. Marshall yelled, "Say you quit or I'll let the truck strike you! I already began yelling, "I'll quit, I'll quit!" Marshall then calmly and very slowly grabbed the walkie talkie at his hip and spoke into it, "Stop". By then the car was extremely close and traveling towards me in great speed. The truck began to turn either as it began to stop, trying to the side. The truck stopped maybe three feet away from me as I was almost hit. Because of this, my life is in imminent danger, and this was done to stop me from pursuing my lawsuits, the illegal gassing on 1-29-18 and the illegal placement in segregation on 4-29-16. As I was being returned to my cell, officer Hemmila, who was driving the truck came to escort me back, trading places with Holma. When I was placed in my cell, still with the cuffs on, door closed, Hemmila was the one with his hands through the food slot and he stuck his finger up my butt and said "You know I can't leave with you doing that". Paul L. Maloney was the orchestrator of this assault as said by Deputy Warden Marshall. There is a affidavit in support attached to this complaint.

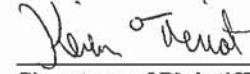
V. Relief

State briefly and precisely what you want the court to do for you.

I would like to be financially compensated.

2-11-19

Date

  
Signature of Plaintiff

**NOTICE TO PLAINTIFF(S)**

The failure of a *pro se* litigant to keep the court apprised of an address change may be considered cause for dismissal.

Klein Thiel T2308

Daraga, MI, 49843  
13924 Wadago Rd  
Daraga, MI 49843

7 complaints

U.S. District Court  
229 Post Office and Federal Building  
P.O. Box 698  
Marquette, MI 49855

